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June 14, 2006

Via Electronic Comment Filing System

TO: The Commissioners  
Federal Communications Commission  
445 12th Street, S.W., TW-A325  
Washington, DC 20554

Re: Ex Parte Comments, CS Docket No. 98-120

The Maine Association of Broadcasters urges the Commission to act with all due haste to approve must-carry status for the full range of local broadcasters' digital programming offerings on both cable and satellite systems.

As you are well aware, broadcasters have faced an enormously expensive unfunded federal mandate to effect the conversion from analog to digital transmission. The burden of this transition has fallen especially hard on small-market broadcasters, inasmuch as the cost of conversion is comparably the same in market #1, New York City, as it is in market #151, Bangor, Maine, or market #204, Presque Isle, Maine, yet the pool of available advertising revenue is considerably less in the smaller markets. Without access to the audiences controlled by cable and satellite, local broadcasters will have little incentive to offer new community-oriented programming alternatives.

It is particularly important in a rural state like Maine that a must-carry order encompass DBS satellite TV providers as well as cable systems. Cable does not serve many areas of our state because household concentration is sparse. According to a report issued by the Government Accountability Office on April 21, 2005, DBS penetration stands at 29% of rural households. This is a significant segment of total television viewers who would be deprived of valuable local programming offerings (and are, indeed, now so deprived, because the DBS companies have dragged their feet in providing the promised local-to-local coverage in much of Maine), absent a must-carry order.

In 1997, former FCC Chairman Reed Hundt was quoted as saying, "When I got to the commission three years ago, the idea was that this new invention would be about pretty pictures. But in the last three years we've had a digital revolution in this country, and at the FCC we've tried to go along and maybe even stay ahead of this revolution. So we changed the whole policy here from being one about pretty pictures to being one about digital broadcast."<sup>1</sup> *[Emphasis added]*

It is the FCC's own policies that have dictated the shift away from high-definition TV, which is where the whole transition began in the early 1980s, to the enabling of digital multicast programming as a means to provide a new and wide array of news, information and entertainment offerings, serving audiences that cannot now be served by a single stream of programming.

If the Commission's own vision for digital TV is to be realized, broadcasters *must* have access to the audiences controlled by the cable and satellite providers. Absent a must-carry mandate, the Commission's vision for a new multiplicity of programming options to serve the people of America will prove to be a promise unfulfilled.

Thank you for your attention to the foregoing.

Very truly yours,

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<sup>1</sup> Online NewsHour, "TV Goes Digital," April 3, 1997, <http://www.pbs.org/newshour/>

A handwritten signature in black ink, reading "Suzanne D. Goucher". The signature is fluid and cursive, with the first name "Suzanne" being more prominent and the last name "Goucher" following in a similar style.

Suzanne D. Goucher  
President & CEO